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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,991	08/18/2003	Daniel Esposito	100.2493	3515

			EXAMINER
27997	7590	06/03/2005	DESIR, PIERRE LOUIS

PRIEST & GOLDSTEIN PLLC
5015 SOUTHPARK DRIVE
SUITE 230
DURHAM, NC 27713-7736

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will; by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _18 August 2003_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _18 December 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Salovuori,

Pub. No. US 2002/0196781.

Regarding claim 1, Salovuori discloses wireless communication system for supporting

communication by a wireless device, comprising: a packet data interface for supporting packet

data communication by the wireless device (i.e., a packet data network wherein data to be

transmitted is transmitted in data packets, according to a protocol specified for the packet data

network) (see page 2, paragraph 9); a voice interface for supporting voice communication by the

wireless device (i.e., standard called Voice over IP VoIP is being established for making

"Internet call systems" compatible, which specifies e.g. compatibility of equipment, service

quality and call routing in the IP networks) (see page 4, paragraph 32); and a data server

operative to provide data to the wireless device through a packet data connection in order to

furnish data requested by the wireless device (see abstract).

Regarding claim 2, Salovuori discloses a system (see claim 1 rejection) wherein the data

server is a directory server operative to store a calling directory and to search the calling

directory and provide desired calling information to the wireless device upon request (i.e.,

Lightweight Directory Access Protocol LDAP, which is used for conducting a

telecommunication name service between various networks and file servers) (see fig. 2,

paragraph 33).

3.   Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Yach et

al. (Yach), Pub. No. US 2002/0128036.

Regarding claim 7, Yach discloses a wireless device (i.e., dual-mode mobile device) for

communication using directory information and calling features through a packet data

connection with a data server (see fig. 2, and abstract), comprising: a voice connection interface

for establishing and maintaining a voice connection for voice communication through a switched

voice network (i.e., a voice component, connected to the data component for receiving call

initiation information, the voice component for initiating and receiving telephone calls, and caller

identification information, and for providing the received caller identification information to the

data component for cross reference to the data) (see paragraph 12) ; and a business service client

module (i.e., data communication module, voice communication module) for retrieving calling

information from the data server and for processing and presenting calling information received

from the data server (see paragraphs 12, 68, and 71), the business service client module being

operative to direct the initiation of voice communication with a desired telephone upon

identification and retrieval of the desired telephone number from the data server (see paragraph

12).

Regarding claim 8, Yach discloses a device (see claim 7 rejection) wherein the business

service client module is further operative to retrieve commands from the data server and to

implement calling features using the commands (i.e., a wireless device (see abstract) comprising

a network server where data items are received (paragraph 48) and comprising receiving a voice

call containing caller identification information, determining the data component application to

launch based on the call preferences and launching the determined data component application.

In embodiments of the present aspect of the invention the set of call preferences maps different

incoming numbers to different applications, or prompts the user for an application to launch. The

applications include at least one of a calendar, call log, address book and email client) (see page

1, paragraphs 11-12).

Regarding claim 9, Yach discloses a device (see claim 8 rejection) further comprising a

voice over Internet protocol interface for establishing and maintaining a packet data connection

in order to carry on voice communication through the packet data connection (i.e., the voice

component can be connected to the data packet network for receiving and initiating telephone

calls using Voice over Packet data channels) (see page 2, paragraph 12).

Regarding claim 10, Yach discloses a method of wireless communication, comprising the

steps of: establishing a packet data connection between a wireless device and a directory and

features server (i.e., the wireless device comprises a data component for storing, retrieving,

receiving and displaying data including e-mail messages, calendar appointments, address

information, for launching applications associated with the data, and for connecting to the data

packet network for sending and receiving data, and a voice component, connected to the data

component for receiving call initiation information, the voice component for initiating and

receiving telephone calls, and caller identification information) (see page 2, paragraph 12);

selecting desired calling information from the server and delivering the calling information to the

wireless device (i.e., the data component has a preferences table (selection table) that determines

an application to launch upon (inherently, this preference table is delivered to the wireless

device) receiving caller identification information from the voice component) (see page 2,

paragraph 12); and initiating and maintaining a call from the wireless device to a telephone

identified by the calling information delivered from the server (i.e., the voice component initiates

a telephone call upon receiving call initiation information from the data component (see

paragraph 12). And, Once the phone number is selected the data handling component of mobile

device transmits a request to the cellular phone component to initiate an outbound voice call

from the device to the selected phone number. The necessary components of the cellular phone

component of the mobile device then initiates and establishes an outbound voice call with the

information at least partially collected from the data store) (see paragraph 57).

Regarding claim 11, Yach discloses a method (see claim 10 rejection) wherein the step of

selecting the desired calling information further includes presenting a series of selection

interfaces to the wireless device (i.e., a menu item such as `Call Address` is offered as an action

among the one or more menu selection action items. An illustrative menu selection is shown in

FIG. 2b. As shown, the menu selection 451 graphical user interface (GUI) may include one or

more of the following action items: hide menu 452, copy 454, mark unopened 456, file message

458, save message 460, reply 462, forward 464, reply to all 466, delete 468, more 470, email

person y 472, SMS person y 474, call person y 476, view contact info 478, show qualified

address 480, previous item 482, next item 484, next unopened item 486, close 488) (see fig. 2b,

and paragraph 56) and conducting a search in the directory and features server based on user

responses to the selection interfaces (see paragraph 57).

Regarding claim 12, Yach discloses a method (see claim 11 rejection) wherein the step of

establishing the packet data connection is followed by a step of delivering a set of commands to

the wireless device to allow access to calling features implemented by the commands (i.e.,

providing the received caller identification information to the data component for cross reference

to the data) (see page 1, paragraph 11; and page 2, paragraph 12).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Salovuori, in view of Yach et al. (Yach), Pub. No. US 2002/0128036.

Regarding claim 3, Salovuori discloses a system as described above (see claim 2

rejection).

Although, Salovuori discloses a system as described, Salovuori does not specifically

disclose a system wherein the data server is further operative to store a command set for the

implementation of calling features available to the wireless device and to transfer desired

commands to the wireless device when required.

However, Yach discloses a system wherein the data server is further operative to store a

command set for the implementation of calling features available to the wireless device and to

transfer desired commands to the wireless device when required (i.e., comprising a network

server where data items are received (paragraph 48) and comprising receiving a voice call

containing caller identification information, determining the data component application to

launch based on the call preferences and launching the determined data component application.

In embodiments of the present aspect of the invention the set of call preferences maps different

incoming numbers to different applications, or prompts the user for an application to launch. The

applications include at least one of a calendar, call log, address book and email client) (see page

1, paragraph 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine both arts to arrive at the claimed invention. The motivation for doing so

would have been to provide to the user caller information on a dual mode mobile device (see

paragraph 11).

Regarding claim 4, Salovuori discloses a system (see claim 3 rejection) wherein the voice

interface includes a mobile switching center to support switched voice communication by the

wireless device (i.e., Salovuori discloses mobile services switching centre MSC is, in turn,

connected to other mobile services switching centres through a Gateway Mobile Services

Switching Centre GMSC and to a Public Switched Telephone Network PSTN) (see fig. 4, page

5, paragraph 38).

Regarding claim 5, Salovuori discloses a system (see claim 4 rejection) wherein the voice

interface further includes a voice over Internet protocol interface to support voice

communication by the wireless device over a packet data connection (see paragraphs 33 and 43).

6.   Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Salovuori

and Yach, in further view of Zhang et al. (Zhang), U.S. Patent No. 6661485.

Salovuori and Yach disclose a system as described above (see claim 5 rejection).

Although the combination discloses a system wherein the data server is further operative

to initiate a first call to a telephone number identified in the calling information provided to the

wireless device (see paragraph 12), the combination does not specifically disclose a system

wherein the data server is further operative to initiate a second call to the wireless device, and to

bridge together the first and second calls to establish a connection between the wireless device

and the identified telephone number.

However Zhang discloses a system wherein a PSTN call is placed to a subscriber whose

line is being used for Internet access, and through the service control point, the subscriber places

a call through a gateway to the service node. The service node matches the subscriber call and

PSTN call and bridges them together to provide a VOIP connection (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the teachings to arrive at the claimed invention. A motivation for doing so

would have been to enable subscribers to place and answer telephone calls during an Internet

session without having to disconnect Internet access (see abstract).
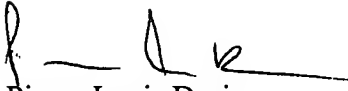
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Pierre-Louis Desir whose telephone number is 703-605-4312.

The examiner can normally be reached on (571) 272-7799.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Emmanuel L. Moise can be reached on (571) 272-3865. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pierre-Louis Desir
AU 2681
05/24/2005

JEAN GELIN
PRIMARY EXAMINER